

REMARKS

Claims 1-8 and 10 are all the claims currently under examination in the present application. Allowable claim 9 has been cancelled without prejudice or disclaimer of the subject matter contained therein, and its subject matter incorporated into independent claim 1.

It is noted that the claims amendments are made only for pointing out the claimed invention more particularly, and not for distinguishing the invention over the prior art, narrowing the claims, or for statutory requirements for patentability. Further Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Applicant gratefully acknowledges the Examiner's indication that claims 2, 4, 6, 8, and 10 are allowed and that claim 9 would be allowable if rewritten in independent form. While Applicant completely disagrees, in order to expedite prosecution, Applicant has amended independent claim 1 to incorporate allowable claim 9. Accordingly, Applicant submits that all the claims are allowable.

Claims 1, 3, 5, and 7 stand rejected under 35 U.S.C. §103(a) over the Applicant's Admitted Prior Art (hereinafter the AAPA) in view of Nara (US Patent No. 5,978,414).

On page 2 of the Office Action, the Examiner alleges that it would have been obvious to combine the AAPA with Nara to teach the claimed invention as recited in claims 1, 3, 5, and 7. Applicant has amended claim 1 to include the subject matter of claim 9 and therefore submits that all the remaining claims are allowable.

In view of the foregoing, Applicant submits that claims 1-8 and 10, all the claims presently under examination in the application, are patentably distinct over the prior art of record and are allowable, and that the application is in condition for allowance. Such action

Application No. 10/698,391
Attorney Docket No. DP-977 US (MAR.092)

would be appreciated.

Moreover, Applicant requests rejoinder of the withdrawn claims.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned attorney at the local telephone number listed below to discuss any other changes deemed necessary for allowance in a telephonic or personal interview.

The Commissioner is authorized to charge any deficiency in fees, including extension of time fees, or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Date: 6/15/9
McGinn IP Law Group, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254

Respectfully Submitted,



Joseph Peter Hrutka, Esq.
Registration No. 53,918

Sean M. McGinn, Esq.
Registration No. 34,386